



Fair Political Practices Commission

428 J Street, Suite 620, Sacramento, CA 95814

www.fppc.ca.gov



NEWS ADVISORY

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Contact: Sigrid Bathen
(916) 322-7761

Commission considers request to treat domestic partners as spouses ***Proposal to consolidate conflict laws also on Thursday agenda***

A proposed opinion addressing the treatment of domestic partners as spouses under the Political Reform Act will be discussed by the Fair Political Practices Commission when it holds its monthly meeting Thursday (Oct. 7) in Sacramento.

The meeting begins at 9:45 a.m. in the FPPC's eighth-floor hearing room at 428 J St. (Fifth and J Streets) in Sacramento.

On April 22, 2004, David W. Roberts, a candidate for the Solana Beach City Council in San Diego County, submitted a request for written advice addressing the possible implications of legislation, Assembly Bill 205, effective in January 2005, which generally treats domestic partners as married couples by amending the Family Code to provide that registered domestic partners have the same rights and obligations as spouses. Roberts sought advice from the commission regarding potential conflicts of interest that may arise as a result of his domestic partnership if he is elected to the city council.

On Aug. 31, 2004, Roberts modified his request for advice to a request for a full commission opinion on the matter. FPPC Executive Director Mark Krausse granted that request on Sept. 1, and a staff memorandum was prepared which will be discussed by the commission at Thursday's meeting. The staff memorandum, by Commission Counsel Natalie Bocanegra and General Counsel Luisa Menchaca, is available on the FPPC website. It presents the commission with several options and emphasizes that the commission "has the authority to define 'spouse' (and 'immediate family') in whatever manner it determines best carries out the purposes of the [Political Reform] Act." The opinion request will be considered as agenda item #11.

In an ongoing effort to consolidate and streamline the complex conflict-of-interest laws, the commission will also consider a proposal to incorporate into the Political Reform Act Government Code Section 1090 as well as other conflict laws not currently in the Act. (#13). The proposal was prepared by Assistant General Counsel John W. Wallace and Menchaca after an extensive public-input period, including four "Interested Persons" meetings.

The agenda is posted on the FPPC website at: www.fppc.ca.gov. Click on "Agendas" on the left side of the home page, and go to "Current Agenda." For more information on a particular agenda item, including enforcement stipulations, orders and exhibits and legal

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memoranda and supporting documents, go to “Agendas” on the web site, then to “Current Agenda,” then click on the links in the agenda items.

Letters responding to items on the agenda after it was posted on the website 10 days prior to the meeting can be found at the top of the agenda on the website.

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